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8 Attorneys for Defendants
9 AU OPTRONICS CORPORATION and
AU OPTRONICS CORPORATION AMERICA

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

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13 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

14 This Document Relates to Individual Case
15 Case No. 3:10-cv-05625 SI

16 ALFRED H. SIEGEL, AS TRUSTEE OF THE
17 CIRCUIT CITY STORES, INC. LIQUIDATING
TRUST,

18 Plaintiff,

19 v.

20 AU OPTRONICS CORP., *et al.*,

21 Defendants.
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CASE NO. 3:07-md-1827 SI

MDL No. 1827

CASE NO. 3:10-CV-05625 SI

**DECLARATION OF CARL L
BLUMENSTEIN IN SUPPORT OF
DEFENDANTS' MOTION TO CONTINUE
TRIAL DATE**

Date: February 6, 2015
Time: 9:00 a.m.
Place: Courtroom 10, 19th Floor
Judge: The Honorable Susan Illston

1 I, Carl L. Blumenstein, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and before this Court. I am
3 a partner at the law firm of Nossaman LLP, counsel of record for defendants AU Optronics Corporation
4 and AU Optronics Corporation America. Except where noted, I make this declaration based on my own
5 personal knowledge and, if called upon to do so, I could competently testify to the matters stated herein.

6 2. Since Defendants first filed their Motion to Continue Trial Date on December 12, 2014,
7 there have been several developments that may be pertinent to the Court's consideration of the Motion.
8 I submit this additional declaration to apprise the Court of those developments.

9 3. In our moving papers (Dkt. No. 9352), we informed the Court of which parties remained
10 in the four MDL cases that are scheduled to be tried in this Court. I am informed and believe that
11 additional settlements have been reached, even though dismissals may not yet have been filed. The LG
12 Display Defendants and the NEC Defendants have settled out of *Acer America Corp., et al v. Hitachi*
13 *Ltd., et al*, Case No. 3:13-cv-03349 SI, one of the pending Track 3 cases. Only the Toshiba entities
14 remain in that case. Currently, each of the Track 3 cases is comprised of just one plaintiff and one
15 defendant family. If the Court consolidated the *Circuit City* trial with the Track 3 trial (as requested by
16 defendants' present motion), four plaintiffs and four defendants would be party to the consolidated trial,
17 as follows:

<u>Plaintiff</u>	<u>Remaining Defendants</u>
Siegel (Circuit City)	<ul style="list-style-type: none">• AU Optronics• HannStar
Proview	<ul style="list-style-type: none">• Chi Mei Innolux
Home Depot	<ul style="list-style-type: none">• AU Optronics
Acer America	<ul style="list-style-type: none">• Toshiba

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25 4. Since this motion was filed, the trial date in *State of Washington v. AU Optronics Corp.,*
26 *et al.* was moved from April to May 18, 2015. The AUO Defendants have settled with the Washington
27 Attorney General, and will not proceed to trial in in that case.

1 5. The AUO Defendants have settled with the Mississippi Attorney General, and will not
2 proceed to trial in *State of Mississippi v. AU Optronics Corp., et al.*, which is scheduled for trial on
3 September 28, 2015. HannStar Display Corporation remains a defendant in the above-captioned and
4 also, on information and belief, remains a defendant in the Mississippi action.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct and that this declaration was executed on February 2, 2015 in San
7 Francisco, California.

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10 Carl L. Blumenstein
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